

REMARKS

In the application claims 1-4, 6, 9, 10, 12-15, 17, 18, 21, 23-44 remain pending. Claims 5, 7, 8, 11, 16, 19, 20, and 22 have been canceled without prejudice.

In the Office Action it was set forth that the claims include two invention groups, namely, Group I directed to a controlling device and method with a function key and color association and Group II directed to a controlling device and method with a function key and audio cue association. It was additionally set forth the claims of Group II include three species, namely, Species I directed to audio cues having different frequencies, Species II directed to audio cues repeated in different numbers, and Species III directed to audio cues having a different sequence of tones.

To the extent that it is being requested that Applicant elect one of these two groups for prosecution in the event that no generic claim is found to be allowable, Applicant hereby elects to prosecute the invention of Group I directed to a controlling device and method with a function key and color association which includes claims 1-4, 6, 9, 10, 12-15, 17, 18, 21, 23-33, and 38-44. It is, however, respectfully noted that claims 38-44, directed to a method with a function key and unique cue association, are presently generic to both Group I and Group II.

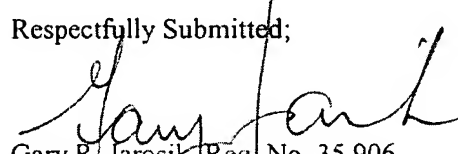
Furthermore, to the extent that it is being requested that Applicant elect one of the three species from Group II for prosecution in the event that no generic claim is found to be allowable, Applicant hereby elects to prosecute Species I directed to using audio cues having different frequencies as set forth in claim 35. It is, however, respectfully noted that claim 34 is presently generic to all of the species of Group II.

CONCLUSION

It is respectfully submitted that the application is in good and proper form for allowance. Such action on the part of the Examiner is respectfully requested.

Should it be determined, however, that a telephone conference would expedite the prosecution of the subject application, the Examiner is respectfully urged to contact the attorney undersigned.

Respectfully Submitted;



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